

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

WEIRTON STEEL CORPORATION  
LIQUIDATING TRUST, successor to  
Weirton Steel Corporation,

Plaintiff,

v.

Civil Action No. 5:04CV136  
(STAMP)

AMERICAN COMMERCIAL BARGE LINES, LLC,

Defendant,

and

AMERICAN COMMERCIAL BARGE LINES, LLC,

Third-Party Plaintiff,

v.

MENARD, INC. and MSC PRE FINISH  
METALS, INC.,

Third-Party Defendants.

**ORDER GRANTING MOTION FOR SCHEDULING CONFERENCE**

On August 10, 2007, American Commercial Barge Lines, LLC ("ACBL") filed a motion pursuant to Federal Rule of Civil Procedure 16(a) for an order setting a date and time for a scheduling conference to address the present and future status of this civil action. In support of its motion, ACBL asserts that Weirton Steel Corporation Liquidating Trust ("Weirton Steel") has failed to respond to ACBL's discovery requests and to produce witnesses identified in its Federal Rule of Civil Procedure 26(a)(1) disclosure. This Court finds that it would be beneficial to conduct a status and scheduling conference in this case.

Accordingly, it is ORDERED that a status and scheduling conference will be held on August 22, 2007 at 12:00 p.m.<sup>1</sup> at the Wheeling point of holding court. Additionally, Weirton Steel shall file any response to the substance of ACBL's motion for scheduling conference on or before August 20, 2007.

The Court will permit those out-of-town attorneys having their offices further than forty miles from the point of holding court to participate in the conference by telephone. However, any such attorney shall advise the Court at least three working days prior to the conference of his or her intention to participate by telephone and shall (1) inform all counsel of his or her appearance by telephone; (2) confer with other out-of-town attorneys to determine if they wish to appear by telephone; (3) advise the Court of the name of the attorney who will initiate the conference call and all such attorneys appearing by telephone; and (4) initiate a timely conference telephone call with such attorneys to the Court at 304/233-1120 at the time of the scheduled conference. If the attorneys cannot reach agreement as to the initiator of the call, the Court will make that determination.

IT IS SO ORDERED.

The Clerk is directed to transmit a copy of this order to counsel of record herein.

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<sup>1</sup> The status and scheduling conference is set for 12:00 p.m. because this Court is scheduled to conduct a jury trial beginning on August 21, 2007. If the scheduled trial is continued or otherwise vacated, the Court will notify counsel and the status and scheduling conference in this case will be held at 1:15 p.m.

DATED: August 14, 2007

/s/ Frederick P. Stamp, Jr.  
FREDERICK P. STAMP, JR.  
UNITED STATES DISTRICT JUDGE